

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 37-39 are pending in the application, with 37 being the only independent claim. The amendment to claim 37 is believed to introduce no new matter, and its entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

Claims 37-39 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner asserts that "baking said ferroelectric thin film while it is formed," recited in claim 37, is not supported by the specification. To the contrary, the specification at page 52 states that a ferroelectric thin film *precursor* is laminated onto the bottom electrode, then the *precursor* is baked to form the ferroelectric thin film. Thus, the phrase "baking said ferroelectric film while it is formed" is supported by the specification. Nevertheless, in order to further clarify the claim, Applicant has amended it to recite that the ferroelectric thin film is formed "through baking." Applicant therefore respectfully requests that the rejection be withdrawn.

Claims 37-39 were also rejected under 37 C.F.R. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the

subject matter of the invention. In particular, the Examiner asserted that the term "it" in line 11 of claim 37 was indefinite because it was unclear what "it" was referring to. What "it" refers to is abundantly clear in the claim, as the Examiner noted what "it" meant in the rejection above. Nevertheless, the Amendment to claim 37 renders the rejection moot. Applicant therefore respectfully requests that the rejection be withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to be 'ALF', with a long horizontal line extending to the right.

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